

MINUTES OF THE KANSAS BOARD OF VETERINARY EXAMINERS MEETING  
WEDNESDAY, JANUARY 28, 2009, DOCKING BUILDING, TOPEKA, KANSAS  
(DRAFT VERSION UNTIL SIGNED BY BOARD PRESIDENT)

This meeting of the Kansas Board of Veterinary Examiners was called to order by Board President Dr. Verle Carlson at 9:05 a.m. Dr. Carlson welcomed everyone in attendance. In addition to Dr. Carlson, Board Members Dr. Mark Olson, Dr. Vern Otte, Dr. Christen Skaer, Dr. Richard Barta, and Mr. Jim Correll were present. Also in attendance were agency staff members Dr. Dirk Hanson, Larry O'Hara, Cheryl Mermis, and Board General Counsel Mary Feighny. Gary Reser, Executive Vice President of the Kansas Veterinary Medical Association was also present. Board member Dr. Mary Sue Painter was not able to attend due to travel conditions.

A motion to adopt the revised agenda for this meeting passed on a voice vote with no dissenting votes.

A public forum for non-agenda items was offered. No requests to address the Board had been made prior to the meeting, and no requests were made at this point in the meeting.

A motion was then made by Dr. Olson to approve the minutes of the prior Board meeting. This motion was seconded by Dr. Skaer. This motion passed on a voice vote with no dissenting votes.

The Board heard information regarding the Governor's budget recommendations for the agency. A motion by Dr. Skaer, seconded by Dr. Olson that the Board oppose the Governor's recommendations to sweep money from both the agency's fee fund and the agency's Kansas Savings Incentive Program fund passed on a voice vote with no dissenting votes.

The Board next considered possible operational changes that could be made while the question of the Governor's proposed sweeps of the agency's funds was considered. The consensus of the Board was that no significant changes in operations were to be made until the Board got an update during its April meeting.

The Board next heard from Mary Feighny on the issue of diagnosing pregnancy without a valid veterinarian-client-patient relationship. A motion was made by Dr. Otte to accept Ms. Feighny's findings and to send them to the agency's litigation counsel for concurrence. The motion was seconded by Dr. Olson, and passed on a voice vote without dissent. Ms. Feighny was instructed to communicate with Litigation Counsel about her findings.

The Board next reviewed and discussed a chart illustrating Missouri's scope of authority for veterinary employees that had been referenced in a prior meeting of the board.

The Board next initiated discussion about a board policy to address use of personal mobile phones for board business. According to a state executive order, state employees may receive reimbursement for use of personal cell phones for board business in months where such use caused the cost of the personal cell phone plan minimum to be exceeded. The Board requested that Mary research the issue of reimbursement for board members, and report to the Board at its next meeting.

The Board instructed agency staff to begin utilization of [freeconferencecall.com](http://freeconferencecall.com) services for future Board conference calls

The Board considered a question asked by a licensee regarding public service outreach clinics being provided. A motion was made by Dr. Skaer, and seconded by Dr. Otte that a response would be communicated to the licensee that the board's counsel had reviewed practice act statutes, and does not find the Board has authority to enjoin a veterinarian from offering an outreach clinic in a

community because another clinic now exists in that community. The Board believes the intent of the language in our policy is to preclude having outreach clinics in communities where established/inspected clinics/facilities already exist. The motion passed on a voice vote without dissent. The Board will consider adding a definition of 'outreach clinic' the next time changes in the practice act are initiated.

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Dr Skaer reported to the rest of the Board that she elects not to be nominated for reappointment to Board due to other commitments requiring her time. The Board members will bring names of veterinarians to the April meeting who the Board could consider recommending for nomination to the Governor.

Board members reported on recently completed complaint cases, and heard a report of currently ongoing cases.

Dr Otte talked about communications module put on by Bayer at veterinary clinics for their staff, and suggested the Board may want to use this module as part of case resolution terms. Agency staff were asked to take a look at this offering.

The Board set as additional upcoming meeting dates August 28, November 20, and February 3.

Having no other business before the Board at this time, Dr. Otte moved to adjourn the meeting. Dr. Olson seconded the motion, which passed on a voice vote with no dissenting votes. This meeting was adjourned at 3:49 p.m.